

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF COMPENSATION  
FOR APPOINTED COUNSEL

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ADMINISTRATIVE ORDER  
No. 2012-073

WHEREAS, compensation for appointed counsel in criminal cases “shall be in an amount that the court in its discretion deems reasonable, considering the services performs,” pursuant to A.R.S. § 13-4013(A);

WHEREAS, most attorneys appointed in criminal cases have a contract with Maricopa County which controls counsel's compensation;

WHEREAS, in certain criminal cases, circumstances require appointment of a non-contract attorney, at which time the court must set reasonable compensation pursuant to A.R.S. § 13-4013(A);

WHEREAS, A.R.S. § 13-4013(A) directs appointed counsel in criminal cases “shall be paid by the county in which the court presides, except that in those matters in which a public defender is appointed, no compensation shall be paid by the county;” and

WHEREAS, notice to Maricopa County is necessary before setting such compensation for budgetary reasons;

**IT IS ORDERED** that before the Superior Court appoints a non-contract attorney in a criminal case or sets compensation for a contract or non-contract attorney at a rate higher than the contracted rate, the Court shall provide notice and an opportunity to be heard on the issue of reasonable compensation to the head of the Maricopa County Office of Public Defense Services on behalf of Maricopa County.

Dated this 30th day of May, 2012.

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Norman J. Davis  
Presiding Judge

Original:      Clerk of the Superior Court

Copies: All Criminal Judges and Commissioners  
Hon. Tom Horne, Attorney General  
Hon. Bill Montgomery, County Attorney  
James Logan, Public Defense Services  
Jim Haas, Public Defender  
Marty Lieberman, Legal Defender  
Bruce F. Peterson, Legal Advocate  
Phil Knox, General Jurisdiction Courts Administrator  
Bob James, Criminal Court Administrator